

**MINUTES OF MEETING--OCTOBER 15, 1996**

**TRAVIS COUNTY COMMISSIONERS' COURT**

On the 15th day of October 1996, the Commissioners' Court convened the Voting Session at 9:12 AM in the Commissioners' Courtroom, 1st Floor of the Travis County Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Julianne Rompel.

The Commissioners' Court recessed the Voting Session at 11:49 AM and reconvened the Voting Session at 1:44 PM.

The Commissioners' Court retired to Executive Session at 1:46 PM and reconvened the Voting Session at 3:08 PM.

The Commissioners' Court adjourned the Voting Session at 3:09 PM.

RESOLUTIONS AND PUBLIC HEARINGS

1. CONSIDER THE PROPOSED ABANDONMENT OF ALLEN MEMORIAL PARK FOR PARK PURPOSES. **(PUBLIC HEARING ONLY -- NO ACTION ITEM.)** (9:24 AM)

Motion by Commissioner Sonleitner and seconded by Commissioner Gómez that the Public Hearing be opened.

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	yes
	Commissioner 3, Valarie Bristol	-	yes
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire	-	absent

Members of the Court heard from Jamie Holtzman, Allen Park area resident; Theresa Roberson, Allen Park area resident; Mark Holbrook, Allen Park area resident; Mike Ensrué, Pastor, Ascension Lutheran Church; Daphne McMurray, Allen Park area resident; Mickey Holtzman, Allen Park area resident; Cynthia Kane, Allen Park area resident; Nancy Merquin, Allen Park area resident; Kay Roth, Allen Park area resident; Nadia Warren, Allen Park area resident; Bob Barstow, Windy Point Park; Ben Covington, Allen Park area resident; Jim Comstock, Allen Park area resident; Katherine Race, Allen Park area resident; Gil Alsess, Allen Park area resident; Dr. Alberta Casteneda; and Joe Kane, Allen Park area resident.

Motion by Commissioner Sonleitner and seconded by Commissioner Gómez that the Public Hearing be closed.

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	yes
	Commissioner 3, Valarie Bristol	-	yes
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire	-	absent

**SIGNAGE AUTHORITY**

Motion by Commissioner Gómez and seconded by Commissioner Bristol to authorize Commissioner Biscoe to sign all documents relating to today's Court actions in Judge Aleshire's absence.

(10:57 AM)

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	yes
	Commissioner 3, Valarie Bristol	-	yes
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire	-	absent

**2. APPROVE THE REQUEST FOR A STREET NAME ASSIGNMENT FOR AN EXISTING EASEMENT TO OLIVER DRIVE, PRECINCT THREE. (9:13 AM)**

Motion by Commissioner Sonleitner and seconded by Commissioner Gómez that the Public Hearing be opened.

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	yes
	Commissioner 3, Valarie Bristol	-	absent
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire	-	absent

Members of the Court heard from Joe Gieselman, Executive Director of Transportation and Natural Resources.

Motion by Commissioner Bristol and seconded by Commissioner Gómez that the Public Hearing be closed.

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	yes
	Commissioner 3, Valarie Bristol	-	yes
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire	-	absent

**CITIZENS' COMMUNICATION**

Members of the Court heard from Gus Peña, East Austin Concerned Hispanics and Bob Barstow.

Christian Callsen, Director of Emergency Services, introduced the new Star Flight pilot, Willie Culverson. Members of the Court heard from Chris McDonnell, Star Flight pilot. (9:14 AM)

**CONSENT ITEMS**

3. Motion by Commissioner Sonleitner and seconded by Commissioner Gómez to approve the following Consent Items: 8, 12, and Items C. 1 - C.20; excluding Consent Item 5. (10:58 AM)

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	yes
	Commissioner 3, Valarie Bristol	-	yes
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire	-	absent

- C.1 RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C.2 AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY CORRECTIONAL FACILITIES AND JUVENILE DETENTION FACILITIES.
- C.3 APPROVE ORDER FROM THE COUNTY JUDGE TEMPORARILY TRANSFERRING RESPONSIBILITIES OF THE TABC LICENSE AND PERMIT APPROVALS TO JUDGE JADE MEEKER FOR ALL TABC CASES PRESENTED TO HER BETWEEN OCTOBER 10, 1996, AND OCTOBER 18, 1996; ORDER TO BE RESCINDED EFFECTIVE AT CLOSE OF BUSINESS ON OCTOBER 18, 1996.
- C.4 APPROVE APPOINTMENT OF STEPHANIE L. BEARDSLEY, DVM, TO ANIMAL ADVISORY COMMISSION AS PRECINCT TWO APPOINTEE; MS. BEARDSLEY IS THE CAPITAL AREA VETERINARY MEDICAL ASSOCIATION REPRESENTATIVE.
- C.5 APPROVE ORDER DESIGNATING REGULAR POLLING PLACES FOR THE NOVEMBER 5, 1996, GENERAL ELECTION. (10:55 AM)

Consent Item 5 postponed until October 22, 1996.

CONSENT ITEMS CONTINUED:

- C.6 APPROVE PERSONNEL AMENDMENTS.
- C.7 APPROVE BUDGET AMENDMENTS AND BUDGET TRANSFERS.
- C.8 APPROVE CO-SPONSORSHIP WITH THE AUSTIN METROPOLITAN TRAILS COUNCIL A SEMINAR "CELEBRATE GREENWAYS" BY CHARLES FINK ON OCTOBER 29-30, 1996.
- C.9 APPROVE STATE CATALOGUE PURCHASE OF TAPE CARTRIDGE AND INPUT/ OUTPUT PROCESSOR FOR TAX ASSESSOR/COLLECTOR FROM LOMAR MARKETING, INC., IN THE AMOUNT OF \$30,500.00.
- C.10 APPROVE CONTRACT MODIFICATION NO. 1 TO 96TO379-RH, CHUCK HOWLEY UNIFORM RENTAL FOR UNIFORM RENTAL; CONTRACT APPROVED ON 8/20/96; MODIFICATION ALLOWS FOR PRICE INCREASE FOR THE PLASTIC BAGGING OF GARMENTS.
- C.11 APPROVE PLAT FOR RECORDING IN PRECINCT TWO: AMENDED PLAT OF LOTS 1 AND 2, BLOCK B, VISTA BUSINESS PARK II - (SHORTFORM - NO FISCAL REQUIRED - 2 LOTS - 10.092 ACRES - LONG VISTA DRIVE AND BRATTON LANE).
- C.12 APPROVE PLAT FOR RECORDING IN PRECINCT THREE: GREAT OAKS AT SLAUGHTER CREEK, PHASE A - (LONGFORM - FISCAL WITH THE CITY OF AUSTIN - 57 LOTS - 12.78 ACRES - FM 2304).
- C.13 APPROVE PROPERTY LINE WAIVER FOR LOT 2A BROOKS HOLLOW RESUBDIVISION IN PRECINCT THREE.
- C.14 APPROVE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES IN LEWIS MOUNTAIN RANCH, PHASE 4, IN PRECINCT THREE.
- C.15 APPROVE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES IN LEWIS MOUNTAIN RANCH, PHASE 2, IN PRECINCT THREE.
- C.16 APPROVE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES IN SADDLETREE RANCH, SECTION 3, IN PRECINCT THREE.

**CONSENT ITEMS CONTINUED:**

- C.17** APPROVE A PUBLIC HEARING DATE OF OCTOBER 29, 1996, TO APPROVE STREET NAME CHANGES OF "TURNBERRY DRIVE" TO "MUIRFIELD GREENS LANE" AND "TURNBERRY COVE" TO "MUIRFIELD GREENS COVE" IN ST. ANDREWS P.U.D., PRECINCT THREE.
- C.18** APPROVE A PUBLIC HEARING DATE OF OCTOBER 29, 1996, TO APPROVE STREET NAME CHANGES OF "QUIBELL DRIVE" TO "RAVELLO RIDGE DRIVE"; AND "QUIBELL COVE" TO "RAVELLO RIDGE COVE"; AND "EVIAN DRIVE" TO "PORTOFINO RIDGE DRIVE"; IN BARTON CREEK, SECTION G, PHASE 2, PRECINCT THREE.
- C.19** APPROVE A PUBLIC HEARING DATE OF NOVEMBER 5, 1996, TO APPROVE THE VACATION OF A PORTION OF A DRAINAGE AND PUBLIC UTILITY EASEMENT ON LOT 13, BLOCK A, MALONE ADDITION, SECTION 1, A SUBDIVISION IN PRECINCT THREE.
- C.20** APPROVE THE REQUEST FOR A STREET NAME ASSIGNMENT FOR AN EXISTING EASEMENT TO OLIVER DRIVE IN PRECINCT THREE.

ADMINISTRATIVE ITEMS

4. APPROVE AND/OR GIVE STAFF DIRECTION TO SOLICIT ARCHITECTURAL/ENGINEERING SERVICES FOR CRIMINAL JUSTICE CAPITAL IMPROVEMENTS PROGRAM AND WATER QUALITY IMPROVEMENTS AT TCCC, DEL VALLE. (10:58 AM) (11:01 AM) (1:44 PM) (2:28 PM)

Item 4 called. Discussion only.

Members of the Court heard from Assistant County Attorney John Hille and Kevin Bailey, Facilities Manager.

Discussion only.

Commissioner Biscoe, presiding, announced that Item 4 would be considered in Executive Session.

Motion by Commissioner Bristol and seconded by Commissioner Sonleitner to approve the solicitation of A/E services for the water quality improvements at Del Valle Correctional Complex and request that staff continue to work to prepare the A/E services for the Criminal Justice Capital Improvements Program.

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	yes
	Commissioner 3, Valarie Bristol	-	yes
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire	-	absent

Item 4 to be reposted for October 22, 1996.

5. DISCUSS SPACE UTILIZATION AND REAL ESTATE LEASE ISSUES.  
(11:08 AM)

Members of the Court heard from Belinda Poppa, Facilities Management and Alicia Perez, Executive Manager of Administrative Operations.

Discussion only. Item 5 to be reposted for October 22, 1996.

6. DISCUSS AND APPROVE REORGANIZATION AND RECLASSIFICATIONS OF INFORMATION AND TELECOMMUNICATIONS SYSTEMS (ITS) DEPARTMENT.  
(11:23 AM)

Members of the Court heard from Alicia Perez, Executive Manager of Administrative Operations; Frank Curcio, Director of ITS; Karen Castro, Planning and Budget; and Joe Gieselman, Executive Director of Transportation and Natural Resources.

Discussion only. Item 6 to be reposted for October 22, 1996.

7. APPROVE PLAT FOR RECORDING AND VARIANCE FROM CHAPTER 6 OF STANDARDS IN PRECINCT THREE: ECK LANE ON THE LAKE - (SHORTFORM - NO FISCAL REQUIRED - 3 LOTS - 2.693 ACRES - ECK LANE). (10:59 AM)

Members of the Court heard from Joe Gieselman, Executive Director of Transportation and Natural Resources.

Motion by Commissioner Bristol and seconded by Commissioner Gómez to approve Plat for recording and Variance from Chapter 6 of Standards in Precinct Three, as presented by Joe Gieselman.

Motion carried:

Commissioner 1, Samuel Biscoe	-	yes
Commissioner 2, Karen Sonleitner	-	yes
Commissioner 3, Valarie Bristol	-	yes
Commissioner 4, Margaret Gómez	-	yes
County Judge, Bill Aleshire	-	absent

8. APPROVE REQUEST FOR APPROVAL TO PRINT 200,000 INSERTS FOR TAX BILLS. (11:56 AM)

Item 8 added to Consent Items.



9. APPROVE ORDER EXEMPTING A CONTRACT WITH A QUALIFIED INDIVIDUAL, GROUP OF PERSONS, OR FIRM EXPERIENCED IN PROVIDING LEGISLATIVE ADVOCACY SERVICES FOR GOVERNMENTAL ENTITIES, FROM THE COMPETITIVE PROPOSAL REQUIREMENTS OF THE COUNTY PURCHASING ACT. (10:55 AM)

Item 9 to be reposted for October 27, 1996.

10. APPROVE AMENDMENT TO THE OPTION TO LICENSE AGREEMENT BETWEEN TRAVIS COUNTY AND THE AUSTIN HOCKEY GROUP TO ADDRESS PARKING FEES AND MEDIA RIGHTS. (11:11 AM)

Members of the Court heard from John Emmons, Manager of the Exposition Center and Alicia Perez, Executive Manager of Administrative Operations.

Motion by Commissioner Bristol and seconded by Commissioner Sonleitner to approve the October 19, 1996, telecast and to have each additional issue, case by case, brought before the Commissioners' Court for approval.

Motion carried:

Commissioner 1, Samuel Biscoe	-	yes
Commissioner 2, Karen Sonleitner	-	yes
Commissioner 3, Valarie Bristol	-	yes
Commissioner 4, Margaret Gómez	-	yes
County Judge, Bill Aleshire	-	absent

11. REVIEW AND APPROVE THE FOLLOWING PROPERTY AND LIABILITY CLAIMS RECOMMENDATIONS: (11:40 AM)

- A. TNR
- B. CONSTABLE, PRECINCT FIVE
- C. TNR
- D. TNR

Members of the Court heard from Dan Mansour, Risk Manager.

Motion by Commissioner Sonleitner and seconded by Commissioner Bristol to approve staff recommendations.

Motion carried:

Commissioner 1, Samuel Biscoe	-	yes
Commissioner 2, Karen Sonleitner	-	yes
Commissioner 3, Valarie Bristol	-	yes
Commissioner 4, Margaret Gómez	-	yes
County Judge, Bill Aleshire	-	absent

**R E C E S S**

Motion by Commissioner Sonleitner and seconded by Commissioner Bristol to recess the Voting Session until 1:30 PM. (11:49 AM)

Motion carried:

Commissioner 1, Samuel Biscoe	-	yes
Commissioner 2, Karen Sonleitner	-	yes
Commissioner 3, Valarie Bristol	-	yes
Commissioner 4, Margaret Gómez	-	yes
County Judge, Bill Aleshire	-	absent

**12. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (11:56 AM)**

Item 12 added to Consent Items.

**EXECUTIVE SESSION ITEMS**

**[Clerk's note:** the Executive Session Items are footnoted as follows: Note 1<sup>(1)</sup>: Gov't Code, Ann. Section 551.071, Consultation with Attorney; Note 2<sup>(2)</sup>: Gov't Code, Ann. Section 551.072, Real Property; and Note 3<sup>(3)</sup>: Gov't Code, Ann. Section 551.074, Personnel Matters.]

**13. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION CONCERNING STATE OF TEXAS V. BURNICE WADE ROSS (GIESELMAN; CONDEMNATION CASE).<sup>1</sup> (1:45 PM)**

Item 13 postponed until October 22, 1996.

- 14. AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, OR COUNTER SETTLEMENT OFFER AND/OR RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION, AND/OR TAKE APPROPRIATE ACTION IN TRAVIS COUNTY V. LUPE URESTI, ET AL. <sup>1</sup> (1:44 PM) (2:28 PM)

Commissioner Biscoe, presiding, announced that Item 14 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 14, 15, 16, 19, 20, and 21.

Motion by Commissioner Biscoe and seconded by Commissioner Sonleitner:

- 14. to accept the settlement offer in the amount of \$67,500.00;
- 15. to approve the contract offered by the Protestant Episcopal Church Council of the Diocese of Texas;
- 16. to postpone this Item until October 22, 1996;
- 19. to reject the settlement offer;
- 20. to reject the settlement offer and to make no counter offer pending disposition of pretrial motions; and
- 21. to give Commissioner Biscoe, Precinct One, permission to release to Susan Spataro, County Auditor, and to the outside auditing firm of Deloitte and Touche, the 1996 Fiscal Year pending litigation report for use in preparing the 1996 Year End Audit and to further authorize the County Attorney's Office to meet with Ms. Spataro and representatives with Deloitte and Touche, as necessary, to discuss and supplement this report.

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	yes
	Commissioner 3, Valarie Bristol	-	yes
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire	-	absent

- 15. APPROVE PURCHASE CONTRACT RECEIVED FROM THE PROTESTANT EPISCOPAL CHURCH COUNCIL OF THE DIOCESE OF TEXAS FOR PARCEL 14 ON RM 2244 (CIP #3-U017). <sup>2</sup> (1:44 PM) (2:28 PM)

Commissioner Biscoe, presiding, announced that Item 15 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 14, 15, 16, 19, 20, and 21. Refer to Item 14 for a summary of the Court's action on this Item.

16. RECEIVE BRIEFING FROM COUNTY ATTORNEY ON DEVELOPMENTS RELATED TO COMMUNICATIONS WITH THE FEDERAL AVIATION AND AUTHORIZE APPROPRIATE ACTION (DINWIDDIE).<sup>1</sup> (1:44 PM) (2:28 PM)

Commissioner Biscoe, presiding, announced that Item 16 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 14, 15, 16, 19, 20, and 21. Refer to Item 14 for a summary of the Court's action on this Item.

Commented [TCC1]:

17. RECEIVE BRIEFING, TAKE APPROPRIATE ACTION, AND MAKE, ACCEPT, REJECT, OR COUNTER SETTLEMENT OFFER IN LINDA TAYLOR, INDIVIDUALLY AND AS NEXT FRIEND FOR SANDRA TAYLOR, A MINOR, V. TRAVIS COUNTY, TEXAS (TCSO; KEEL; PERSONAL INJURY).<sup>1</sup> (1:45 PM)

Item 17 postponed until October 22, 1996.

18. AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, OR COUNTER SETTLEMENT OFFER IN RUBY COOK V. TRAVIS COUNTY (MEDRANO; EMPLOYMENT LAWSUIT).<sup>1</sup> (1:45 PM)

Item 18 postponed until October 22, 1996.

19. **(ADDED ITEM)** RECEIVE BRIEFING, TAKE APPROPRIATE ACTION, AND MAKE, ACCEPT, REJECT, OR COUNTER SETTLEMENT OFFER IN VICTOR WALLS V. TRAVIS COUNTY, AND TRAVIS COUNTY SHERIFF'S OFFICE (KEEL; PERSONAL INJURY).<sup>1</sup> (1:44 PM) (2:28 PM)

Commissioner Biscoe, presiding, announced that Item 19 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 14, 15, 16, 19, 20, and 21. Refer to Item 14 for a summary of the Court's action on this Item.

20. MAKE, ACCEPT, REJECT, OR COUNTER SETTLEMENT OFFER, AND/OR TAKE APPROPRIATE ACTION IN MARY ELIZABETH HUMPHREY ET AL., V. TRAVIS COUNTY, ET AL., CAUSE NO. A95-CA-053-AA (KEEL; WRONGFUL DEATH/CIVIL RIGHTS).<sup>1</sup> (1:44 PM) (2:28 PM)

Commissioner Biscoe, presiding, announced that Item 20 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 14, 15, 16, 19, 20, and 21. Refer to Item 14 for a summary of the Court's action on this Item.

21. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION WITH REGARD TO COUNTY AUDITOR'S REQUEST FOR LITIGATION INFORMATION IN CONNECTION WITH THE YEAR END INDEPENDENT AUDIT. <sup>1</sup> (1:44 PM) (2:28 PM)

Commissioner Biscoe, presiding, announced that Item 21 would be considered in Executive Session.

Members of the Court agreed to consider one Motion for Items 14, 15, 16, 19, 20, and 21. Refer to Item 14 for a summary of the Court's action on this Item.

#### ADJOURNMENT

Motion by Commissioner Sonleitner and seconded by Commissioner Gómez to adjourn the Voting Session. (2:31 PM)

Motion carried:	Commissioner 1, Samuel Biscoe	-	yes
	Commissioner 2, Karen Sonleitner	-	yes
	Commissioner 3, Valarie Bristol	-	yes
	Commissioner 4, Margaret Gómez	-	yes
	County Judge, Bill Aleshire	-	absent

#### MINUTES APPROVED BY THE COMMISSIONERS' COURT

##### Date of Approval

Bill Aleshire, Travis County Judge